

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

KENTUCKY SPEEDWAY, LLC

Plaintiff,

vs.

NATIONAL ASSOCIATION FOR STOCK
CAR AUTO RACING, INC., *et al.*

Defendants.

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Misc. No. _____

PLAINTIFFS MOTION TO SEAL

Plaintiff Kentucky Speedway, LLC (“Kentucky Speedway”), respectfully asks this court for a limited order allowing it to file under seal Part III of Kentucky Speedway’s Motion to Compel against non-party Dover Motorsports, Inc. (“Dover”) and the exhibits accompanying that part (the “Motion to Compel”). This part of the Motion to Compel and the accompanying exhibits contain information designated “highly confidential” and “confidential” information pursuant to a protective order entered in *Kentucky Speedway v. NASCAR et al.*, (case no. 2-05-CV-138) (Bertelsman, J.), currently pending in the Eastern District of Kentucky. By the terms of the protective order, the parties must file information containing confidential or highly confidential information under seal. A copy of the protective order is attached as Exhibit 5 to plaintiff’s Motion to Compel. Concurrent with this filing, Kentucky Speedway will file a redacted version of the motion that contains everything except for Part III and the exhibits accompanying that part.

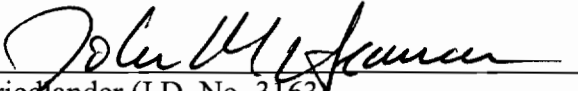
WHEREFORE, plaintiff respectfully requests that the Court enter the attached order sealing the above-referenced documents and permitting future filings in this action referencing the same information to be filed under seal.

BOUCHARD MARGULES & FRIEDLANDER, P.A.

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Dated: October 24, 2006

By 
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ORDER GRANTING MOTION TO SEAL

Upon the motion of plaintiff for an order permitting them to file under seal limited portions of a motion to compel non-party discovery, having heard from the parties, having reviewed the protective order issued in *Kentucky Speedway v. NASCAR et al.*, (case no. 2-05-CV-138) (Bertelsman, J.), currently pending in the Eastern District of Kentucky (the “Protective Order”), and good cause therefore having been shown,

IT IS HEREBY ORDERED this ____ day of October, 2006 that plaintiff’s motion is GRANTED. The information referenced in plaintiff’s motion may be filed under seal, as well as future filings in this action pursuant to the terms of the Protective Order.

United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on October 24, 2006, I filed the foregoing **Motion to Seal** with the Clerk of Court. I also caused a copy of the same to be served upon the following recipients by hand:

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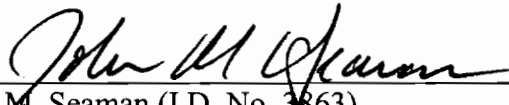
In addition, I caused the foregoing document to be served on the following recipients by email:

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